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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,605	10/24/2003	Gian Mario Baitelli	82062-0065	7310
7590	05/04/2004		EXAMINER	
Celine Jimenez Crowson Hogan & Hartson L.L.P. Columbia Square 555 Thirteenth Street, N.W. Washington, DC 20004-1109			NERBUN, PETER P	
			ART UNIT	PAPER NUMBER
			3765	
DATE MAILED: 05/04/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/691,605

Applicant(s)

BAITELLI ET AL.

Examiner

Peter P Nerbun

Art Unit

3765

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 24 October 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18, 20 and 21 is/are allowed.
- 6) ☒ Claim(s) 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 24 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

Claims 1-18, 20, and 21 are allowed.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 19 is rejected under 35 U.S.C. 102(b) as being anticipated by Hasegawa et al. The patent to Hasegawa et al discloses a method for processing a roving on a textile machine in order to form it into a yarn; the yarn consisting of a continuous sequence of portions, each portion having a predetermined length and predetermined count characteristic; the method comprising the stages of: selecting means for generating a reference signal for keeping the said count characteristic constant along the yarn; sending the reference signals to an operating device connected for operation to at least one driving means; and operating the driving means in accordance with the reference signals for the execution of the process on the yarn.

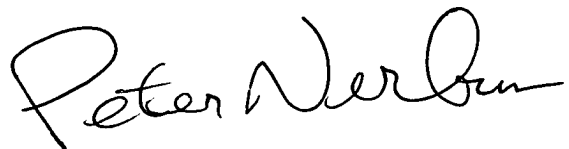
Claim 1 and its dependent claims are allowed because claim 1 recites at least one driving means connected for operation to an operating shaft, the operating shaft being capable of carrying out processes on a roving designed to produce a yarn, at least one control device, wherein the control device comprises first means for generating a reference signal for keeping the count and/or twist characteristics constant along the yarn; together with second means for generating a reference signal for producing count and/or twist characteristics which are variable along the yarn.

Claims 20 and 21 are allowed because claim 20 and claim 21 each recite the method steps of inserting a hardware key into a textile machine and sending reference signals generated by a selecting means for keeping a count and/or twist characteristics constant along a yarn to an operating device connected for operation to at least one driving means, and operating the driving means in accordance with the reference signals for the execution of a process on the yarn.

If applicant has any questions regarding the instant Office action, the examiner may be contacted at (703) 308-0955 from Monday to Friday between 10:00AM to 7:30PM during alternate weeks and from Monday to Wednesday between 10:00AM to 7:30PM on the remaining alternate weeks. At other times between Monday and Friday applicant may contact the examiner's supervisor John Calvert at (703) 305-1025.

Peter Nerbun

April 29, 2004

A handwritten signature in black ink that reads "Peter Nerbun". The signature is written in a cursive style with a large, looped initial "P".

Peter Nerbun
Primary Examiner